

DEC 10 1986

SUMMARY OF DOWNTOWN STUDY ACTIONS

UNIVERSITY OF CALIFORNIA

On July 14, 1986, the Palo Alto City Council adopted ordinances (on first reading) and Comprehensive Plan amendments affecting all previously commercial zoned properties (CC or CS) in the Downtown area. These changes do not alter the zoning of any residentially zoned (R or RM zones), or public facilities (PF) zoned properties. Only one parcel (215-239 High Street) is being rezoned from commercial to residential (RM-3).

All other commercially-zoned properties were rezoned to a new Commercial Downtown (CD) district. The CD district regulations (summarized later) contain the main regulatory changes arising from the 1984-1986 Downtown Study. These regulations will go into effect on August 28, 1986, at which time the Downtown moratorium on new construction and ground floor conversions will be repealed.

However, a moratorium affecting properties with buildings on the Historic Inventory (categories 1 through 4) will be in place for six months, probably until February 28, 1987. Other important actions arising from the Downtown Study are summarized under "Comprehensive Plan Changes" and "Assignments to Staff, Boards and Committees".

CD DISTRICT REGULATIONS

The CD (Commercial Downtown) regulations bring together in one section of the zoning ordinance (18.48) most of the regulations affecting commercial properties in the Downtown area. This summary and attached table only highlight the major changes introduced as a result of the Downtown Study. For full details, consult the ordinance directly.

Some of the new regulations apply throughout the CD district. First among these is a limit of 350,000 square feet of non-residential development that the City can approve for properties within the CD district (including PCs originally within the CD district); when this limit is reached, the CD regulations are automatically repealed and a moratorium imposed.

Other important new CD regulations are:

- Project size limits: All nonresidential projects (new construction and expansions, including the nonresidential portion of mixed use projects) are limited to 25,000 square feet of gross floor area per site or 15,000 above existing floor area, whichever is greater.
- Nonconforming uses: Legally existing uses at the time the CD ordinance goes into effect are grandfathered. All such uses

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can continue indefinitely; none are subject to amortization. Providing that the site is never vacant for six months or more, grandfathered uses can be replaced by uses in the same zoning ordinance use category.

- Noncomplying structures (facilities): Structures which were complying at the time of construction can be remodeled or replaced up to but not beyond their existing size (floor area, height, etc.).
- Height limits and street setbacks for sites abutting residential zones: maximum height within 150-feet of a residential zone will be the same as the most restrictive abutting residential zone; sites sharing a common blockface with a residential zone will have a street setback equal to the street setback of the residential zone for 150 feet from the residential development. These new restrictions are in addition to several other restrictions on sites abutting residential development which were previously applied in commercial zones.
- Parking counted as FAR: Floor area used for parking will be counted toward FAR, if it is for nonresidential uses; covered; and at or above grade (no matter how slightly).

Within the CD district, several subdistricts and combining districts are established (see maps 1-6). New parking regulations are also established for properties within the Assessment District. The major new regulations applying to each area are summarized below.

FAR Exemptions

The FAR limits established for each subdistrict described below may be exceeded if certain exemptions apply:

- Seismic: In connection with an approved seismic rehabilitation, a seismic (category I, II or III) building may add 2,500 square feet or 25 percent of the existing floor area, whichever is greater, without counting within the new FAR limit, as long as the previous FAR (3.0:1 or 2.0:1) is not exceeded.
- Historic: In connection with an approved expansion, an historic (category 1 or 2) building may add 2,500 square feet or 25 percent, whichever is greater, without counting within the new FAR limit, as long as the previous FAR (3.0:1 or 2.0:1) is not exceeded.
- Minor additions: All other buildings may expand by 200 square feet without counting within the FAR limit.

All of the above exemptions may be used only once per site.

CD-C Subdistrict

The CD-C subdistrict (see map 1) includes most of the Downtown area previously zoned CC, allowable uses are the same as under the CC district and most site development regulations remain the same as for the CC. The major difference is floor area ratio: 1.0:1 in CD-C rather than 3.0:1 in CC. No special incentive to build housing is provided in CD-C. The housing density formula will remain as in CC: 2,500 square feet of site area for the first dwelling unit and 900 square feet for each additional unit, with the possibility for a 15 percent increase in developments of 10 or more units where BMR units are provided. Floor area devoted to housing will be counted against the 1.0:1 FAR limit in CD-C.

CD-S Subdistrict

The CD-S subdistrict includes most of the area previously zoned CS, allowable uses are the same as under the CS district and most site development regulations remain the same as for the CS. The floor area ratio, however, is 0.4:1 in CD-S (rather than 2.0:1 in CS). Similar to CS districts elsewhere in the City (but new for the Downtown) is a 5,000 square foot limit per site on office uses. A special housing incentive is provided in CD-S. Depending on area (see map 2), either RM-2 (Areas 1 and 2) or RM-3 (remainder of CD-S) zoning will be allowed in addition to the base commercial FAR of 0.4:1. For example, in most of the CD-S, a 10,000 square foot site would be allowed a 4,000 square foot commercial building, a 5 unit residential building (RM-3 density), or both in a mixed use project.

CD-N Subdistrict

The CD-N subdistrict includes the previously CC-zoned area along Alma and High north of Lytton, and the previously CS-zoned area from 913-951 Emerson. Allowable uses are the same as under the CN district as applied elsewhere in the City and most site regulations are similar to CN district regulations. The floor area ratio is 0.4:1 in CD-N. Similar to the CD-S, a 5,000 square foot limit per site is imposed on office uses in CD-N. A housing incentive identical to that in CD-S is provided in CD-N. Depending on area (see map 3), either RM-2 (Areas 1 and 2) or RM-3 (remainder of CD-N) zoning will be allowed in addition to the base commercial FAR of 0.4:1.

Parking Regulations

Within the University Avenue Parking Assessment District (see map 6), parking will henceforth be required for all new nonresidential development (with certain exceptions) at a rate of one space per 250 square feet of floor area. Exceptions will be granted

for: handicapped access not increasing usable floor area; increase in floor area in conjunction with seismic rehabilitation or renovation of a historic building; minor remodelings (200 square feet); and vacant parcels (0.3 spaces per 1,000 square feet of site area). Note that the parking exemption for renovation of seismic and historic buildings is somewhat different from the FAR exemptions for seismic and historic buildings. Qualified buildings (Seismic Categories I, II or III undergoing an approved seismic rehabilitation or Historic Categories 1 or 2 undergoing an approved remodeling) will not require additional parking for the first 2,500 square feet or 25 percent increase in floor area, whichever is greater, whether this increase causes the building to exceed the new FAR or not. (However, as mentioned under FAR exemptions, buildings will never be allowed to expand beyond the previous FARs - 3.0:1 or 2.0:1, respectively).

No new parking will be required for renovation or change of use of floor area assessed in the 1986-87 assessment district rolls. Other new parking provisions cover off-site parking, provisions for in-lieu parking payments when the City expands the supply of new parking, and a limit (ordinarily two levels) on underground parking in order to restrict regular pumping of subsoil water.

GF and P Combining Districts

The GF (Ground Floor) district limits uses on the first floor of buildings within a specified area (see map 5) determined to represent the retail core of Downtown (primarily along University Avenue but also portions of the major side streets between Lytton and Hamilton). No more than 25 percent of ground floor floor area within this district is permitted for a use other than the following permitted GF uses, and only these uses are permitted in the portion of the developed floor area fronting on streets: eating and drinking; hotels; personal services; retail services; theaters; travel agencies; entrance, lobby or reception areas for non-ground floor uses. An exception procedure is available if and when a City survey determines that the vacancy rate for ground floor properties in the GF district is 5 percent or greater. The P (Pedestrian Shopping) combining district remains in effect in the same area (see map 4) and with the same restrictions (primarily concerning design and access) as previously.

COMPREHENSIVE PLAN CHANGES

In addition to changes to the land use map to parallel the zoning changes described above, several additions were made to policies and text contained in the Palo Alto Comprehensive Plan. In regard to parking, it is now Comprehensive Plan policy: to not allow new development to increase the Downtown parking deficit; to encourage Planned Community zoning for parking structures; to implement a Twelve-Point parking program designed to make more

efficient use of existing parking; and to re-evaluate growth regulations that relate to parking exemptions when development approvals show an unmet parking demand of 225 new spaces. In regard to traffic, it is now Comprehensive Plan policy: to discourage installation of new signal lights on Middlefield and Alma; and to prohibit a direct connection between Sand Hill Road and Palo Alto Avenue/Alma Street. In regard to land use and growth, it is now Comprehensive Plan policy: to limit total non-residential growth to 350,000 additional square feet, of which 100,000 shall be reserved for projects demonstrating special public benefits and 75,000 shall be reserved for seismic, historic and minor expansion exemptions; to re-evaluate growth regulations for nonresidential development when development approvals reach 235,000 square of additional floor area; and to monitor the effectiveness of the ground floor (GF) use restrictions.

ASSIGNMENTS TO STAFF, BOARDS AND COMMITTEES

Planning Department staff will be following up on a number of assignments arising from the Downtown Study. Some of these assignments stem from the parking, traffic and monitoring policies described above under "Comprehensive Plan Changes". Staff will also initiate studies of possible new public parking facilities, leasing arrangements for existing private parking lots, improvements in signage on Hamilton and Lytton, etc. The Architectural Review Board (ARB) will be considering the possibility of an Urban Design Plan for Downtown, as well as developing design guidelines for driveways and for compatibility of commercial development with surrounding residential neighborhoods. During the six-month moratorium affecting historic structures, the Policy and Procedures Committee will be considering revisions to the historic preservation ordinance and a possible new Comprehensive Plan program on density transfer. Finally, a temporary Committee on Downtown Design and Amenities has been established to develop criteria for selection of developments that will improve the design of and increase amenities in the Downtown area. The temporary Committee is scheduled to complete its work by the end of January, 1987. After review by ARB, Planning Commission and City Council, criteria developed in this process will serve to define the "public purpose" for developments to be allowed a slightly higher FAR (maximum 1.5:1) and qualify for the 100,000 square feet reserved for such projects.

NEW CD COMMERCIAL DOWNTOWN REGULATIONS

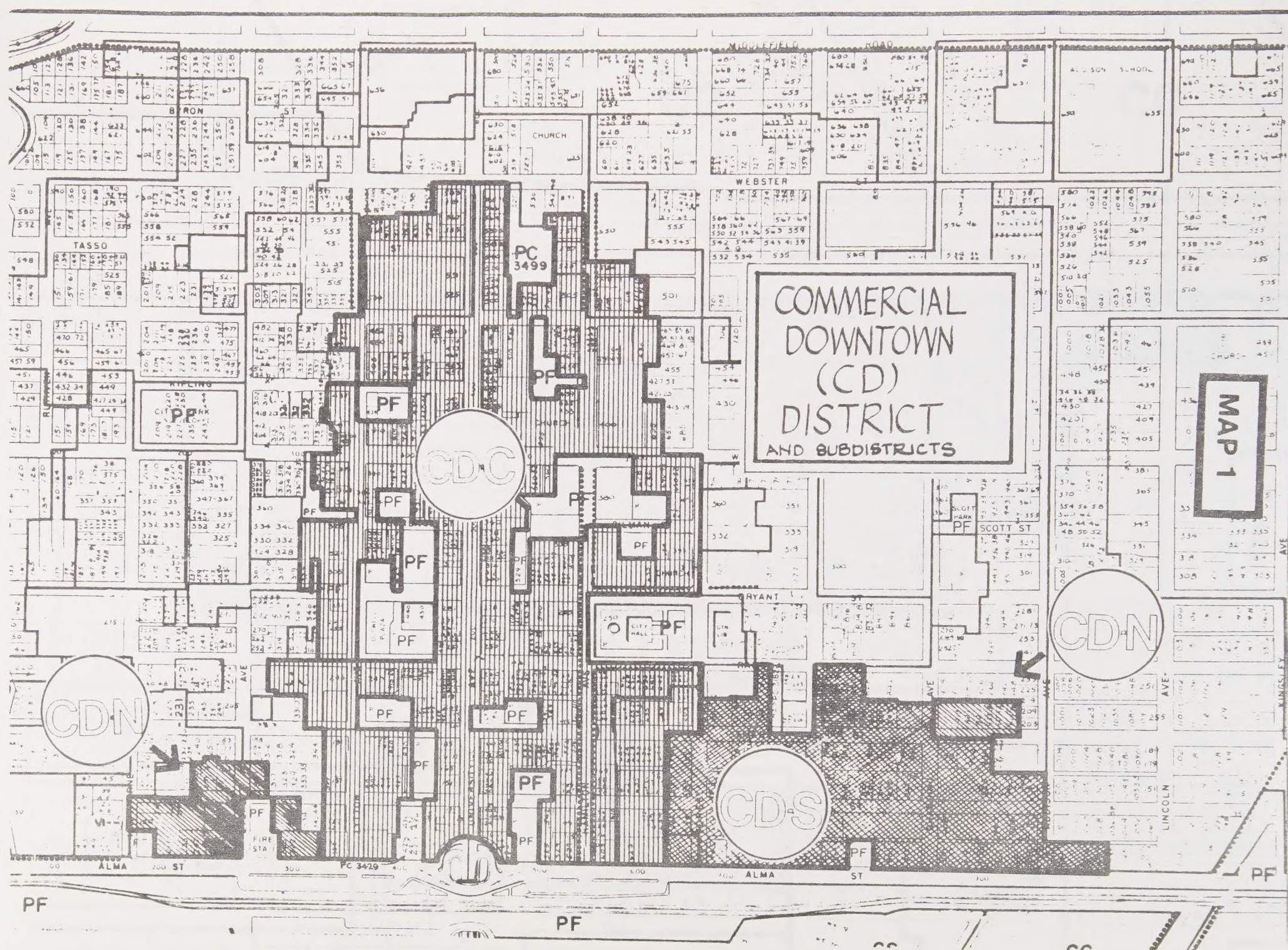
Area	Regulation
Entire CD	<ol style="list-style-type: none">1. Nonresidential Development Maximum: 350,000 s.f. (net additional)2. Project Size Limit (nonresidential): 25,000 s.f. (essentially on vacant sites) or 15,000 s.f. above existing, whichever is greater.3. Nonconforming Uses: If lawful and conforming prior to 8-28-86 - "grandfathered."4. Noncomplying Structures (and facilities): If complying when originally built - "grandfathered."5. Existing special regulations for sites within 150 feet of residential zoning including:<ol style="list-style-type: none">a. regulations on daylight planesb. minimum interior yards - "continued in CD Regulations."6. Additional regulations for sites within 150 feet of residential zoning:<ol style="list-style-type: none">a. Maximum height = most restrictive adjacent residential zone.b. Street setback (sites sharing block face with a residential zone) = the residential zone setback.7. Covered at (or above) grade parking for non-residential uses counted as floor area for FAR.8. FAR Exemptions (all subject to project size limits):<ol style="list-style-type: none">a. Handicapped - no increase in usable floor areab. Seismic I, II, III buildings when rehabilitated (Chapter 16.42): 2,500 s.f. or 25 percent above existing, whichever is greater (FAR limits 3.0 to 1 in CD-C, 2.0 to 1 in CD-S and CD-N).

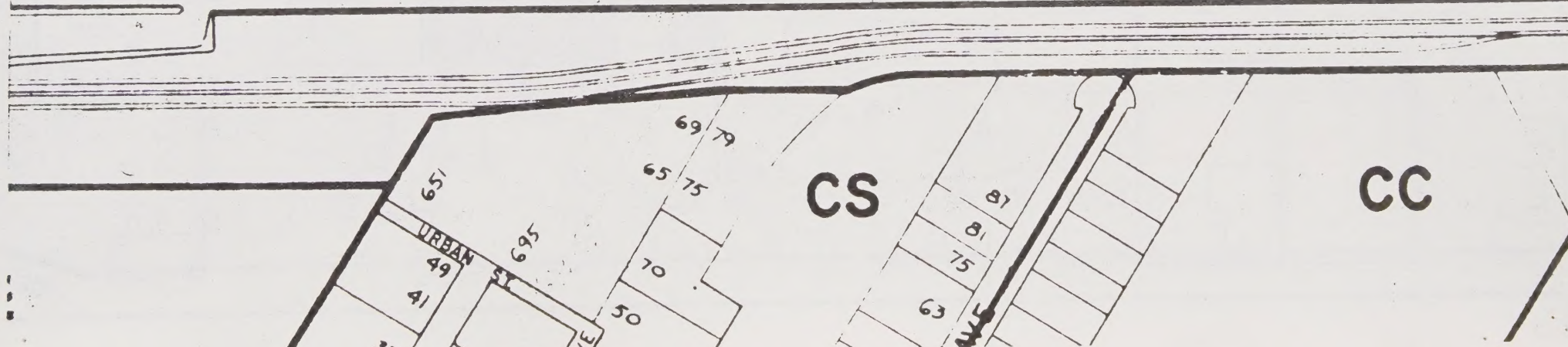
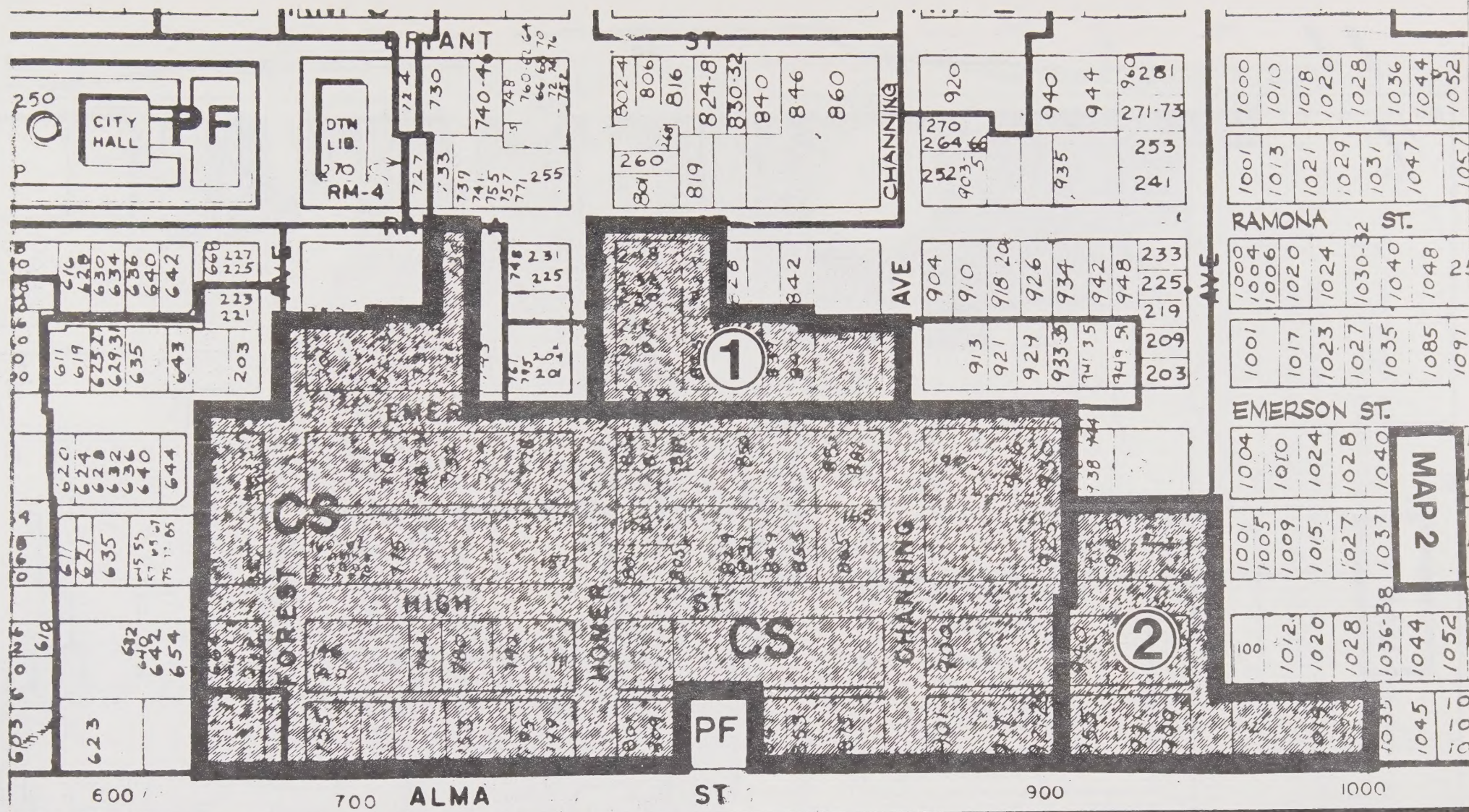
	<p>c. Historic 1 and 2 buildings (Chapter 16.49) 2,500 s.f. or 25 percent above existing, whichever is greater (FAR Limits 3.0 to 1 in CD-C, 2.0 to 1 in CD-S and CD-N)</p> <p>d. Minor expansion (Non Seismic I, II or III and Non Historic 1 and 2 = 200 s.f. above existing (FAR Limits = same in 8b and 8c)</p>					
CD-C	<p>FAR: 1.0:1 (but see FAR exemptions)</p> <p>Permitted and conditional uses: same as CC</p> <p>Housing density: same as CC (housing floor area counts within 1.0:1 FAR)</p>					
CD-S	<p>FAR: 0.4:1 (but see FAR exemptions)</p> <p>Permitted and conditional uses: same as CS</p> <p>Housing density: RM-2 or RM-3 (see map, housing floor area is <u>in addition</u> to 0.4:1 FAR)</p> <p>Office size limits: 5,000 square feet per site.</p>					
CD-N	<p>FAR: 0.4:1 (but see FAR exemptions)</p> <p>Permitted and conditional uses: same as CN</p> <p>Housing density: RM-2 or RM-3 (see map, housing floor is <u>in addition</u> to 0.4:1 FAR)</p> <p>Office size limits: 5,000 square feet per site</p>					
Parking Assessment District	<p>Parking requirement: 1 space/250 square feet of added nonresidential floor area</p> <p>Exemptions:</p> <table border="0"> <tr> <td>1. Seismic</td> <td rowspan="4">} First 2,500 s.f. or 25 per- cent, whichever is greater (see FAR exemptions).</td> </tr> <tr> <td>2. Historic</td> </tr> <tr> <td>3. Minor expansion</td> </tr> <tr> <td>4. Vacant parcels:</td> </tr> </table> <p>0.3 spaces/1,000 square feet</p> <p>Amended off site provision Provision for (future) in-lieu payment program Two level limit on underground parking</p>	1. Seismic	} First 2,500 s.f. or 25 per- cent, whichever is greater (see FAR exemptions).	2. Historic	3. Minor expansion	4. Vacant parcels:
1. Seismic	} First 2,500 s.f. or 25 per- cent, whichever is greater (see FAR exemptions).					
2. Historic						
3. Minor expansion						
4. Vacant parcels:						
Outside Parking Assessment District	<p>Requirements as in Section 18.83 (existing ordinance)</p>					
GF District	<p>Permitted uses on ground floor: eating and drinking; hotels; personal services; retail services; theaters; travel agencies; entrances, lobbies reception areas.</p>					

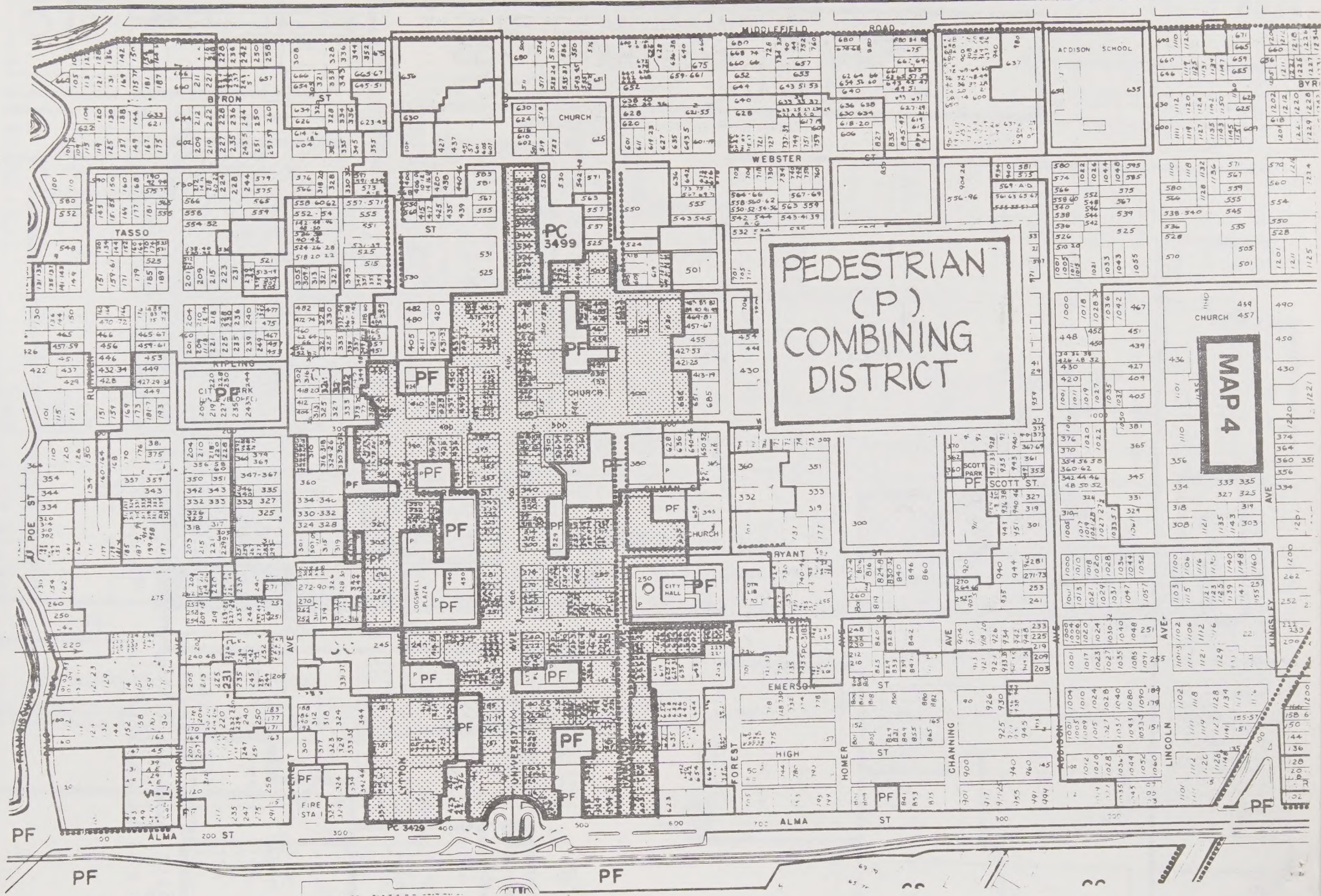
Seventy five (75) percent of ground floor area limited to these uses (100% fronting streets).

Exception procedure: when vacancy rate exceeds 5 percent and applicant property vacant for 6 months.

P District	Remains unchanged
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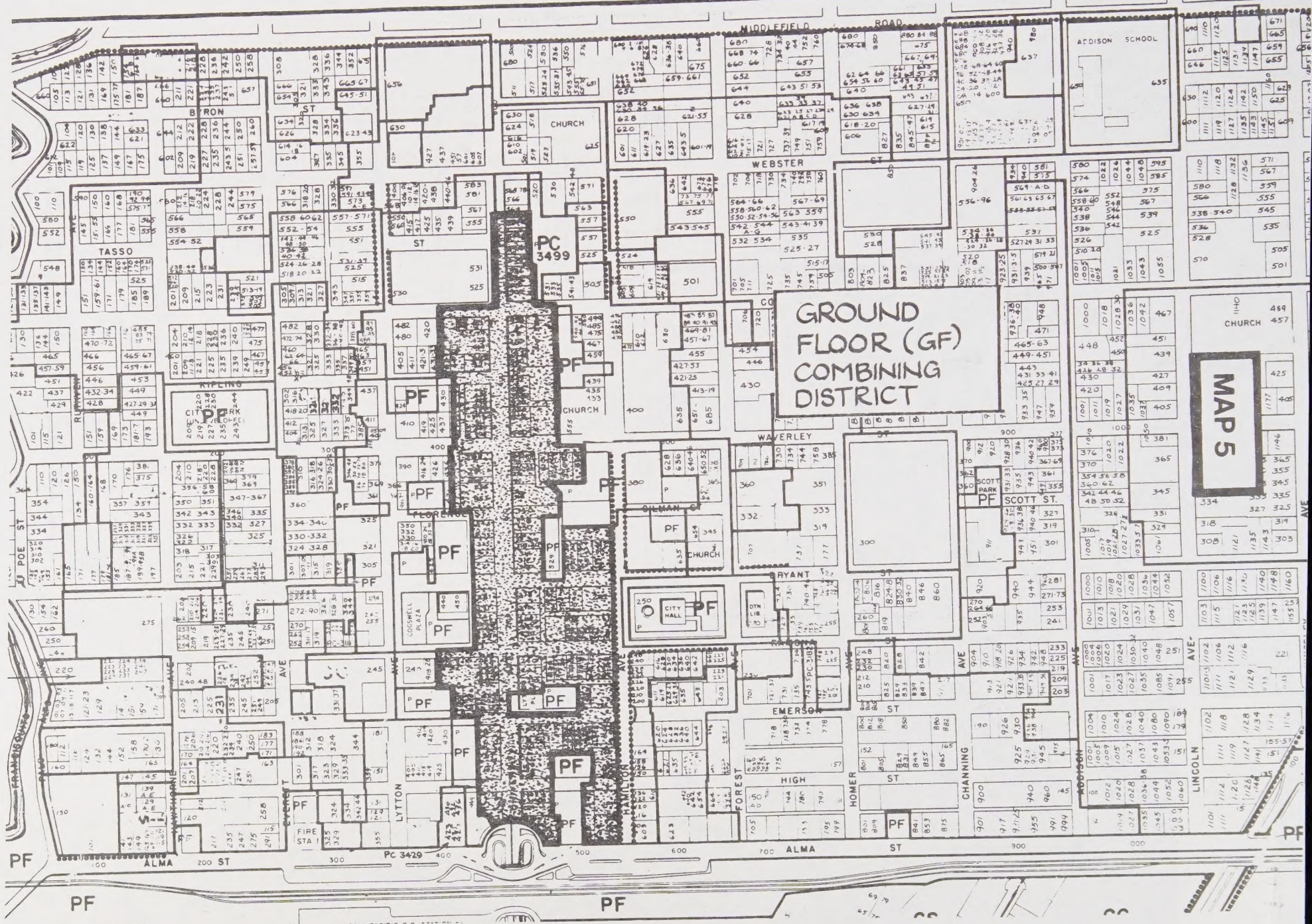






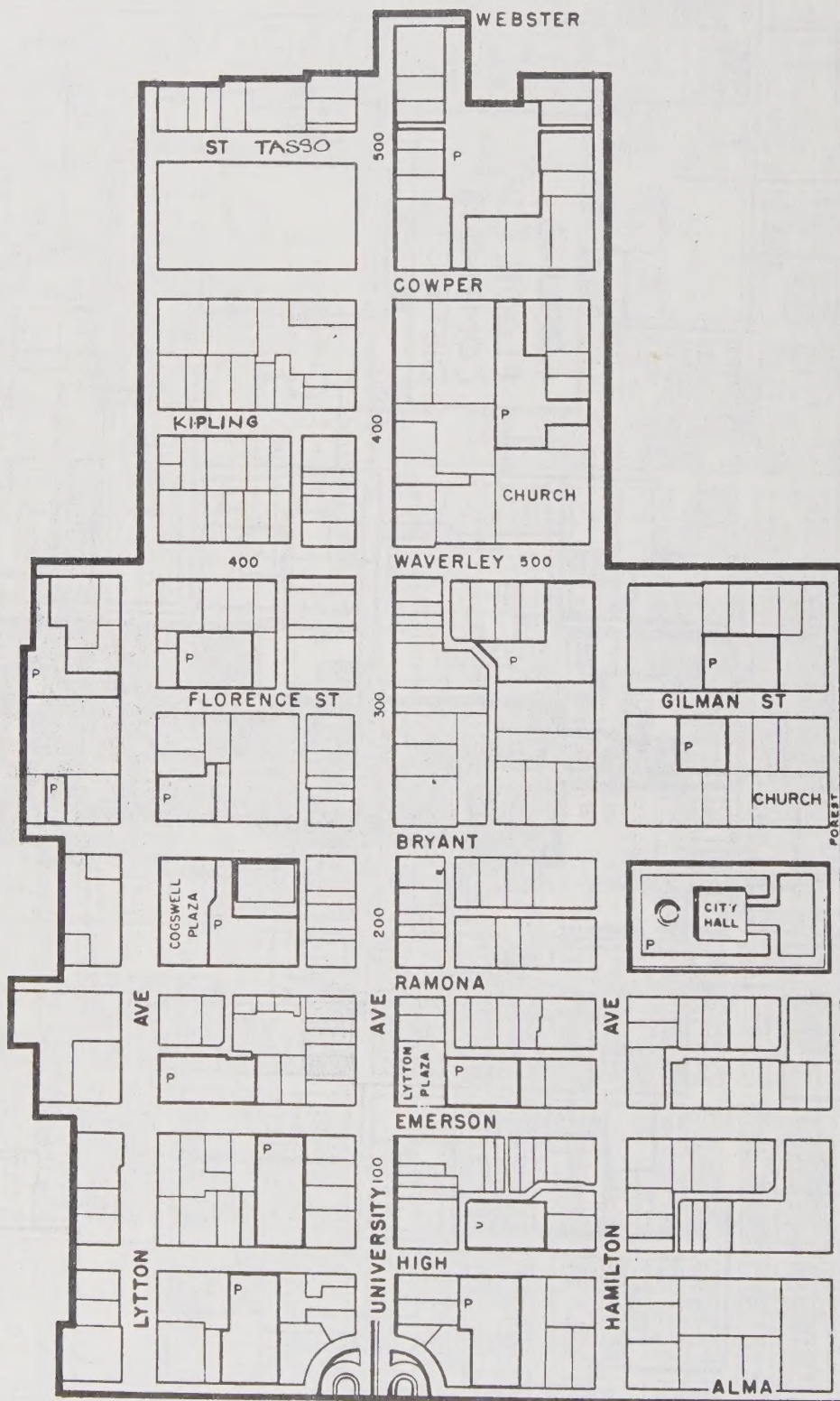
PEDESTRIAN
(P)
COMBINING
DISTRICT

MAP 4





MAP 6



UNIVERSITY AVENUE PARKING ASSESSMENT DISTRICT